

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

CIVIL CASE INFORMATION STATEMENT  
(Civil Cases Other than Domestic Relations)

**FILED**

I. CASE STYLE:

Case No. 18-P-25 m  
2018 JAN 23 P 3:45

Plaintiff(s)

Judge: Tabi

The Jacobe Company and

The J. Hoke Company

CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

vs.

Days to  
Answer

Type of Service

Defendant(s)

30

U.S. Mail

James C. Justice, II

Name

302 South Jefferson Street

Street Address

Roanoke, Virginia 24011

City, State, Zip Code

II. TYPE OF CASE:

- ☐ General Civil  
☐ Mass Litigation [As defined in T.C.R. 26.04(a)]  
☐ Asbestos  
☐ FELA Asbestos  
☐ Other: \_\_\_\_\_  
☐ Habeas Corpus/Other Extraordinary Writ  
☒ Other: Domestic Foreign Judgment

- ☐ Adoption  
☐ Administrative Agency Appeal  
☐ Civil Appeal from Magistrate Court  
☐ Miscellaneous Civil Petition  
☐ Mental Hygiene  
☐ Guardianship  
☐ Medical Malpractice

III. JURY DEMAND: ☐ Yes ☒ No CASE WILL BE READY FOR TRIAL BY (Month/Year): N/A

IV. DO YOU OR ANY  
OF YOUR CLIENTS  
OR WITNESSES  
IN THIS CASE  
REQUIRE SPECIAL  
ACCOMMODATIONS?

☐ Yes ☒ No

IF YES, PLEASE SPECIFY:

- ☐ Wheelchair accessible hearing room and other facilities  
☐ Reader or other auxiliary aid for the visually impaired  
☐ Interpreter or other auxiliary aid for the deaf and hard of hearing  
☐ Spokesperson or other auxiliary aid for the speech impaired  
☐ Foreign language interpreter-specify language: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Attorney Name: James W. Lane, Jr.

Firm: Flaherty Sensabaugh Bonasso, PLLC

Address: 200 Capitol Street, Charleston, WV 25301

Telephone: (304) 205-6373

Representing:

- ☒ Plaintiff ☐ Defendant  
☐ Cross-Defendant ☐ Cross-Complainant  
☐ 3rd-Party Plaintiff ☐ 3rd-Party Defendant

☐ Proceeding Without an Attorney

Original and 3 copies of complaint enclosed/attached.

Dated: 1 / 23 / 2018

Signature: James W. Lane

SCA-C-100: Civil Case Information Statement (Other than Domestic Relations)

PYMT Type  
Rcpt # 558277 \$200 X \$135  
Iss. Sum. + cc ☒ No Sum. Iss  
Ret. to Atty. ☒ \$20cm X 1  
Mailed CM/RM \$5 clk X  
Mailed to sos w/ck#  
Sent to \_\_\_\_\_ w/ck# \_\_\_\_\_ \$15 mdf X

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

THE JACOBE COMPANY, LLC, and  
THE J. HOKE COMPANY, LLC,  
Plaintiffs,

v.

JAMES C. JUSTICE, II,  
Defendant.

**FILED**  
MD  
2018 JAN 23 P 3:45

CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT  
Civil Action No. 18-P-25  
Judge Tabitt

**NOTICE OF FILING FOREIGN JUDGMENT**

Notice is hereby given that The Jacobe Company, LLC and the J. Hoke Company, LLC, by counsel, filed a foreign judgment in the Circuit Court of Kanawha County, West Virginia, on or about January 23, 2018.

The name and address of the judgment creditors are: The Jacobe Company, LLC, 549 Londonderry Rd., Harrogate, TN 37752; and The J. Hoke Company, LLC, 549 Londonderry Rd., Harrogate, TN 37752.

The name and last known addresses of judgment debtor, James C. Justice, II, is: 302 South Jefferson Street, Roanoke, Virginia 24011.

On February 21, 2014, the Commonwealth of Kentucky, Fayette Circuit Court-Civil Branch entered an Agreed Judgment in favor of The Jacobe Company, LLC and the J. Hoke Company, LLC, and against James C. Justice, II, in the principal and interest amount of \$9,487,937.34 together with interest on the unpaid balance thereof, from and after February 9, 2014, at the rate of 12% per annum, compounded annually, and for past attorneys' fees in the amount of \$15,000.00 and any reasonable attorneys' fees and costs incurred in enforcing Plaintiffs' rights under the judgment.

If you are a citizen of West Virginia, you shall be entitled to the same exemption from execution, attachment or seizure and sale as a citizen of the State of Kentucky, where the original judgment was entered.

  
James W. Lane, Jr., Esq. (WV Bar #6483)

Eric M. Johnson, Esq. (WV Bar #13001)

Flaherty Sensabaugh Bonasso PLLC

200 Capitol Street

Charleston, WV 25301

304.205-6373

jlane@flahertylegal.com

Counsel for The Jacobe Company, LLC and  
The J. Hoke Company, LLC.

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

THE JACOBE COMPANY, LLC, and  
THE J. HOKE COMPANY, LLC,  
Plaintiffs,

v.

JAMES C. JUSTICE, II,  
Defendant.

**FILED**  
MS  
2018 JAN 23 P 3:46  
CATHY S. GAYSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT  
Civil Action No. 18-P-25

**AFFIDAVIT AS TO FOREIGN JUDGMENT**

I, Patricia Howard, the Controller for The Jacobe Company, LLC and The J. Hoke Company, LLC, do hereby solemnly swear:

1. The name and post office address of the judgment creditors are: The Jacobe Company, LLC, 549 Londonderry Rd., Harrogate, TN 37752; and The J. Hoke Company, LLC, 549 Londonderry Rd., Harrogate, TN 37752.
2. The name and last known address of judgment debtor, James C. Justice, II, is: James C. Justice Company, Inc. and Affiliates, 302 S. Jefferson Street, Suite 600, Roanoke Virginia 24011.

Dated: January 22<sup>nd</sup>, 2018.

Patricia Howard  
Patricia Howard

STATE OF Tennessee :  
COUNTY OF Clatsop :

Taken, subscribed and sworn to before me by Patricia Howard on January 22<sup>nd</sup>, 2018, in  
Harrogate, Tennessee.

My commission expires: 10/20/2020.

Notary Public: Lisa Crantree.

AOC-065

Rev. 7-13

Page 1 of 1

Commonwealth of Kentucky  
Court of Justice [www.courts.ky.gov](http://www.courts.ky.gov)

28 U.S.C. Sec.1738; FRCP Rule 44



CERTIFICATION ACT  
OF CONGRESS

(FOR OUT OF STATE USE)

County Fayette

UNITED STATES OF AMERICA

STATE OF KENTUCKY,

SS.

Fayette County

I, Vincent Riggs, Clerk of Fayette Circuit Court, in and for the State and County aforesaid, do hereby certify that the foregoing is a full, true and correct copy of **THE AGREED JUDGMENT ENTERED 2-21-14 ACTION NO: 14-CI-139, THE JACOB COMPANY V. JAMES JUSTICE, II.**

in the above-styled case, as appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Court aforesaid, at the city of Lexington, this 28 day of NOVEMBER, 2017.

Vincent Riggs Clerk

STATE OF KENTUCKY,

SS.

Fayette County

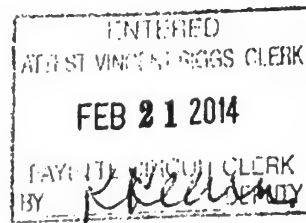
I, Pamela Goodwine, Judge of the Fayette Circuit Court in the State and County aforesaid, do certify that Vincent Riggs, who has signed the foregoing certificate, is, and was at the time of same, Clerk of said Court, duly elected or appointed and qualified; that all his/her official acts as such are entitled to full faith and credit, and that his/her foregoing attestation is in due form of law.

GIVEN UNDER MY HAND, at the City of Lexington,

this 28 day of NOVEMBER, 2017.

Pamela Goodwine Judge

COMMONWEALTH OF KENTUCKY  
FAYETTE CIRCUIT COURT  
CIVIL BRANCH  
NO. 14-CI-0139  
4<sup>th</sup> DIVISION



THE JACOBE COMPANY, LLC, and  
THE J. HOKE COMPANY, LLC

PLAINTIFFS

v.

AGREED JUDGMENT

JAMES C. JUSTICE, II

DEFENDANT

\*\*      \*\*      \*\*      \*\*      \*\*      \*\*

By Agreement of Plaintiff, The Jacobe Company, LLC and Plaintiff, The J. Hoke Company, LLC, by counsel and Defendant, James C. Justice, II, as evidenced by the signatures set forth below and in substitution, nunc pro tunc for the Judgment by Default entered herein on February 11, 2014, and the Court being otherwise duly and sufficiently advised, now therefore it is hereby ordered and adjudged as follows:

1. Plaintiff, The Jacobe Company, LLC and Plaintiff, The J. Hoke Company, LLC are awarded judgment against Defendant, James C. Justice, II, for and in the principal and interest amount of \$9,487,937.34 together with interest on the unpaid balance thereof, from and after February 9, 2014 at the rate of 12% per annum, compounded annually.

2. Plaintiff, The Jacobe Company, LLC and Plaintiff, The J. Hoke Company, LLC are awarded judgment against Defendant, James C. Justice, II for their past attorneys' fees herein incurred in the amount of \$15,000.00 through the date hereof and for their reasonable attorneys' fees and costs incurred in enforcing their rights and remedies hereunder from and after the date hereof.

3. Execution on this Judgment may issue forthwith.
4. This is a final and appealable Judgment and there is no just reason for delay.

SO ORDERED AND ADJUDGED, this 21st day of February, 2014.

Pamela R. Godwin  
Judge, Fayette Circuit Court

This Agreed Judgment is to be entered:

James C. Justice, II  
Defendant, James C. Justice, II

Robert E. Maclin, III, Attorney for  
Plaintiff, The Jacobe Company, LLC  
and Plaintiff, The J. Hoke Company, LLC

**CLERKS CERTIFICATE OF SERVICE**

FEB 21 2014

This will certify that a true copy of the foregoing has been served, this \_\_\_\_ day of February, 2014, to the following:

James C. Justice, II,  
Justice Companies  
302 South Jefferson Street  
Roanoke, Virginia 24011

AJ Dudley, Esq.  
Justice Companies  
302 South Jefferson Street  
Roanoke, Virginia 24011

Robert E. Maclin, III, Esq.  
MCBAYER, MCGINNIS, LESLIE  
& KIRKLAND, PLLC  
201 East Main Street, Suite 1000  
Lexington, Kentucky 40502

COMMONWEALTH OF KENTUCKY  
COUNTY OF FAYETTE  
I, VINCENT RIGGS, CLERK OF THE CIRCUIT COURT  
FOR THE COUNTY AND STATE AFORESAID,  
DO HEREBY CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY AS SAME APPEARS OF  
RECORD AND REMAINS ON FILE IN MY OFFICE.  
WITNESS MY HAND AND SEAL THIS 28 DAY  
OF Nov, 20 14.  
BY Vincent Riggs D.C.

Vincent Riggs  
CLERK, FAYETTE CIRCUIT COURT

P:\Rob Maclin\Sigmon\Justice\Agreed Judgement V.3Draft of 02.17.14.docx



FILED  
2016 JAN 23 PM 3:49  
CLARK COUNTY DISTRICT COURT

7554 7921 1000 2140 2016

U.S. Postal Service <sup>TM</sup> <b>CERTIFIED MAIL<sup>®</sup> RECEIPT</b> <i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Registered Mail Fee	
Return Services & Fees (check box, add fee as applicable)	
<input type="checkbox"/> Return Receipt (hardcopy)	
<input type="checkbox"/> Return Receipt (electronic)	
<input type="checkbox"/> Certified Mail Restricted Delivery	
<input type="checkbox"/> Adult Signature Required	
<input type="checkbox"/> Adult Signature Restricted Delivery	
Postage	
Total Postage and Fees	18.025
To: James C Justice II 200 South Jefferson St Cookeville TN 38501	